



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

SEP 29 2016

8ENF-AT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Pete Stevenson, Environmental Manager
DCP Midstream, LLC
3026 4th Avenue
Greeley, Colorado 80631

Re: Section 114(a) Information Request for the DCP Ladder Creek Plant located in Cheyenne County, Colorado

Dear Mr. Stevenson:

The United States Environmental Protection Agency (EPA) hereby requires DCP Midstream, LLC (DCP) to provide certain information to determine the Clean Air Act (CAA) compliance status of the Ladder Creek Gas Plant, located in Cheyenne County, Colorado.

Pursuant to section 114(a) of the CAA, 42 U.S.C. § 7414(a), the Administrator of the EPA is authorized to require any person who owns or operates an emissions source to establish and maintain records, make reports, sample emissions (in accordance with the procedures and methods that the Administrator shall prescribe) and provide such other information as she may reasonably require for the purposes of determining whether such person is in violation of any provision of the CAA. This authority has been delegated to the undersigned official. In order for the EPA to determine whether a violation of the CAA has occurred, you are hereby required, pursuant to section 114(a) of the CAA, to provide responses to the following request for information regarding the facilities listed above. Accordingly, **within ten (10) calendar days** from receipt of this information request, you must provide a copy of the Ladder Creek Plant's leak detection and repair (LDAR) database in response to Request 1. You must respond to Requests 2-11 **within thirty (30) calendar days** from receipt of this request. See the Instructions and Definitions in Enclosure 1 and the Information Requested in Enclosure 2.

For Request 1, you are required to attach a properly executed Database Certification (Enclosure 3) to your response to this information request. For Requests 2-11, you are required to attach a properly executed Statement of Certification (Enclosure 4) to your response to this request. Enclosures 3 and 4 must be signed and dated by an individual who is authorized by DCP to respond to this request. You are under an obligation to preserve all documents requested in this letter until you receive further instructions from the EPA.

Failure to provide the required information is a violation of the CAA and may result in one or more of the following actions: 1) issuance of an administrative penalty order pursuant to section 113(d) of the Act, 42 U.S.C. § 7413(d); 2) issuance of an order requiring compliance with this request; 3) the initiation of a civil action pursuant to section 113(b) of the CAA, 42 U.S.C. § 7413(b); and/or 4) any other action authorized under the CAA. In addition, knowingly providing false information in response to this information request may be actionable under section 113(c) of the Act, 42 U.S.C. § 7413(c), and

18 U.S.C. §§ 1001 and 1341. The information you provide may be used by the EPA in administrative, civil, and criminal proceedings.

Under section 114(c) of the Act, 42 U.S.C. § 7414(c), and pursuant to regulations at 40 C.F.R. Part 2, including 40 C.F.R. § 2.301, you are entitled to claim as confidential any information you provide to the EPA which involves trade secrets and is regarded as confidential business information by you. For such information, you may request that the EPA treat such information as confidential. Any such claim for confidentiality must conform to the requirements of 40 C.F.R. § 2.203(b). Note that emissions information is not considered confidential under section 114(c). For detailed instructions, please see Enclosure 5 to this letter. Information you supply will be treated as confidential business information to the degree determined to be appropriate according to the regulations. If you fail to furnish a business confidentiality claim with your response to this information request, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assist in its review and analysis of the submitted information, the EPA may wish to share all or part of DCP's response with an EPA contractor named Eastern Research Group (ERG). Pursuant to 40 C.F.R. § 2.301(h), the EPA possesses the authority to disclose to any authorized representative of the United States information which might otherwise be entitled to confidential treatment. ERG is providing support to the EPA in leak detection and repair (LDAR) technical matters under contract number EP-W-15-006. This letter serves as notice to DCP pursuant to 40 C.F.R. § 2.301(h)(2)(iii) of this disclosure. To the extent that DCP may claim information provided in its response as confidential business information and has comments on this disclosure to ERG, DCP may submit such comments to the EPA with its response to Request 1 of this information request.

YOU MUST SUBMIT ALL RESPONSIVE INFORMATION: Whether or not you make a claim of confidentiality.

Please submit your response to this request to:

U.S. Environmental Protection Agency, Region 8
Air and Toxics Technical Enforcement Program (8ENF-AT)
Office of Enforcement, Compliance and Environmental Justice
1595 Wynkoop Street
Denver, Colorado 80202-1129
Attention: Joseph Wilwerding

If you have any questions regarding this information request, please contact Joseph Wilwerding at (303) 312-6729, or your counsel may contact Jessica Portmess, at (303) 312-7026.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Bohan (acting for)".

Suzanne J. Bohan
Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice

Enclosures

1. Instructions and Definitions
2. Information Requested
3. Database Certification
4. Statement of Certification
5. Confidential Business Information

cc: Shannon McMillan, Colorado Department of Public Health and Environment
Greg Fried, Air Enforcement Division, OECA, EPA

ENCLOSURE 1:

A. INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart or a question set forth in the Information Request. If DCP has no responsive information or documents pertaining to a particular request, submit an affirmative statement and explanation.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer identify the person(s) (including name, title, and a description of job duties) who provided information that was used or considered in responding to that question, as well as each person (including name, title, and a description of job duties) who was consulted in the preparation of that response.
3. Indicate on each document produced in response to this information request, or in some other reasonable manner, the number of the question to which it corresponds. If a document is responsive to more than one request, this must be so indicated and only one copy of the document needs to be provided.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information are not available or in your possession and identify any source that either possesses or is likely to possess such documents or information.

B. DEFINITIONS

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the CAA, other CAA implementing regulations (e.g., Subpart HH, Subpart VV, Subpart VVa, Subpart KKK, Subpart OOOO, or Subpart OOOOa), or otherwise defined herein.

1. The term “**Act**” or “**CAA**” shall mean the Clean Air Act, 42 U.S.C. §§ 7401 et seq.
2. The term “**affected facility**” shall mean, with reference to a stationary source, any apparatus to which a standard is applicable under the new source performance standards (NSPS) including, for example, Subparts KKK, NNN, RRR, OOOO, or OOOOa.
3. The term “**drill and tap repair**” or “**drill and tap repair method**” shall mean a process by which injectable packing or sealant material is injected through an adapter into the stuffing box of a valve. The injectable packing/sealant can replace lost packing material and stop a leak. The valve does not need to be disassembled or taken out of service before the procedure is performed. To affix the adapter to the stuffing box of the valve, a hole is drilled into the stuffing box and tapped with threads, and the adapter is screwed into place.
4. The term “**EPA**” shall mean the United States Environmental Protection Agency.
5. The term “**equipment**” shall mean each pump, pressure relief device, open-ended valve or line, valve, compressor, sampling connection system, and flange or other connector that is **in VOC service, in VHAP service, or in wet gas service.**

6. The term “**hazardous air pollutant (HAP)**” shall mean any air pollutant listed in or pursuant to section 112(b) of the CAA.
7. The term “**in volatile organic compound (VOC) service**” shall mean that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of 40 C.F.R. §§ 60.485(d) or 60.485a(d) specify how to determine that a piece of equipment is not in VOC service.)
8. The term “**in volatile hazardous air pollutant (VHAP) service**” shall mean that a piece of equipment or compressor either contains or contacts a fluid (liquid or gas) which has a total VHAP concentration equal to or greater than 10 percent by weight as determined according to the provisions of 40 C.F.R. § 63.772(a).
9. The term “**in wet gas service**” shall mean that a piece of equipment contains or contacts the field gas before the extraction step in the process.
10. The term “**LDAR**” shall mean leak detection and repair.
11. The term “**NSPS capital expenditure calculations**” shall mean any calculations performed to determine whether there has been an expenditure for a physical or operational change to an existing facility, as provided under Subpart KKK, Subpart OOOO, Subpart OOOOa, Subpart VV, and Subpart VVa.
12. The term “**process unit**” or “**process units**” shall mean equipment assembled for the extraction of natural gas liquids from field gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products.
13. The term “**replacement cost**” shall mean the capital needed to purchase all the depreciable components in a facility.
14. The term “**Subpart HH**” shall mean the National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities, 40 C.F.R. §§ 63.760 et seq.
15. The term “**Subpart KKK**” shall mean the Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011, 40 C.F.R. §§ 60.630 et seq.
16. The term “**Subpart NNN**” shall mean the Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations, 40 C.F.R. §§ 60.660 et seq.
17. The term “**Subpart OOOO**” shall mean the Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for Which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015, 40 C.F.R. §§ 60.5360 et seq.

18. The term “**Subpart OOOOa**” shall mean the Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015, 40 C.F.R. §§ 60.5360a et seq.
19. The term “**Subpart RRR**” shall mean the Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes, 40 C.F.R. § 60.700 et seq.
20. The term “**Subpart V**” shall mean the National Emission Standard for Equipment Leaks (Fugitive Emission Sources), 40 C.F.R. §§ 61.240 et seq.
21. The term “**Subpart VV**” shall mean the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006, 40 C.F.R. §§ 60.480 et seq.
22. The term “**Subpart VVa**” shall mean the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006, 40 C.F.R. §§ 60.480a et seq.
23. The term “**volatile organic compounds (VOC)**” shall mean, for the purposes of Subparts KKK and OOOO, any reactive organic compounds as defined in 40 C.F.R. § 60.2 Definitions.
24. The term “**volatile hazardous air pollutant (VHAP) concentration**” shall mean the fraction by weight of all hazardous air pollutants (HAP) contained in a material as determined in accordance with procedures specified in § 63.772(a).

ENCLOSURE 2:

INFORMATION REQUESTED:

Using the instructions and definitions set forth in Enclosure 1, provide the response to Request 1 **within ten (10) calendar days** and responses to Requests 2-11 **within thirty (30) calendar days** from receipt of this request, unless otherwise specified. Where possible, any information not requested in editable electronic format should be provided in portable document format (PDF). If any of the information has been previously submitted to the EPA in its entirety, DCP has the option of resubmitting the information or identifying the previous submission and certifying that the previously-submitted information is true, accurate and complete in accordance with Enclosure 4. Terms in boldface are defined in Enclosure 1. If not otherwise specified, provide your response to each question for the five (5) years prior to the date of the information request.

1. Provide in editable electronic format, on compact disc or other electronic storage media, a complete backup copy (*.bak format) of **all** facility **LDAR** records management databases used during the five (5) years prior to the date of the information request. Include in your response the name and version of the fugitive emissions monitoring database programs submitted in response to this Request 1.
2. Provide a summary and general history of the Ladder Creek Plant (the Plant), including the various processes (for example, inlet, dehydration, fractionation, extraction, amine unit, storage, separation, etc.), the year that each process was added, and the products produced. Indicate how the feed enters, and products exit, the Plant, e.g., truck, pipeline, etc. Provide the design capacity and average throughput through the facility over the past six months in million standard cubic feet per day (MMscfd). Provide the state, local, and federal **LDAR** regulations or **LDAR** permit provisions to which each process was subject during the five (5) years prior to the date of the information request, and the dates during which each regulation or provision applied.
3. Provide a plot plan and block flow diagram for the Plant. If already created, provide the latest color-coded process and instrumentation drawings (P&ID) showing the **LDAR** program applicability to process streams at the Plant.
4. Provide a description of the entities that own and operate the Ladder Creek Plant, including a description of the relationships between any entities involved in ownership or operation.
5. Provide in editable electronic format, on compact disc or other electronic storage media, a list of the **equipment** associated with each process described in response to Request 1. For each piece of **equipment** on this list provide the following:
 - a. Its unique identifying number (e.g., **LDAR** tag number). For **equipment** which does not have a unique identification number, use the identification number of the closest process vessel with a unique number, followed by a dash and unique number to describe the piece of **equipment** (e.g., D404-001);
 - b. List the **equipment** type (e.g., valve, pump, compressor, connector, pressure relief device, etc.);
 - c. **Equipment** sub-type where known (e.g., gate-valve, check-valve, dual-seal pump, flange, screwed connector, etc.);

- d. Line-size in inches (e.g., 2, 3, 4, 6, etc.);
 - e. Date of physical installation;
 - f. Whether the **equipment** is in **VOC service, VHAP service, or wet gas service**; and
 - g. Date the **equipment** was placed in **VOC service, VHAP service, or wet gas service**.
- 6. Provide a detailed analysis indicating whether or not the Ladder Creek Plant has any **affected facilities** under **Subpart NNN** or **Subpart RRR**.
 - 7. Provide the Plant's semi-annual **LDAR** reports for the previous five (5) years.
 - 8. For each of the process streams associated with **equipment** in the facility **LDAR** program (and typically defined in the facility **LDAR** database), provide the **VHAP concentration** of the process stream and the chemical composition (percentage contribution of each chemical) in weight percent for the stream.
 - 9. In the past five (5) years, for each instance when **equipment** was added to the **LDAR** program, state whether the **equipment** added was "Existing **equipment** newly added to the **LDAR** program," "Newly installed **equipment** added to the **LDAR** program," or "New and existing **equipment** newly added to the **LDAR** program." For each instance, provide the following information, as applicable:
 - a. For existing **equipment** newly added to the **LDAR** program:
 - i. The date the added **equipment** was physically installed in the **process unit** and a count of each type of **equipment** (e.g., valve, pump, connector) installed on that date, and
 - ii. The date the added **equipment** was placed in **volatile organic compound (VOC) service, placed in volatile hazardous air pollutant (VHAP) service, or placed in wet gas service** in the **process unit**, and a count of each type of **equipment** (e.g., valve, pump, connector) placed into service on that date.
 - b. For newly installed equipment added to the **LDAR** program, **NSPS capital expenditure calculations** information for the **process unit** where the **equipment** was added, showing:
 - i. The cost and **LDAR** identification number of each piece of **equipment** added;
 - ii. The **replacement cost** of the **affected facility** where the **equipment** was added;
 - iii. Year of construction for the **process unit**; and
 - iv. The **NSPS capital expenditure calculation**, provided in an editable Excel spreadsheet.

10. Drill and Tap Repairs

- a. State whether DCP or its contractors have used the **drill and tap repair method** on any valve or component in steam, hydrocarbon, or other product service at the Ladder Creek Plant in the five(5) years prior to this request.
- b. If you answered “yes” with regard to question 10.a., please provide the following:
 - i. The date the **drill and tap repair** was performed;
 - ii. The name of the company, contractor, and individual(s) that performed the **drill and tap repair**;
 - iii. The type of valve or equipment on which the **drill and tap repair method** was performed;
 - iv. The type of product or material service for the valve or equipment where the **drill and tap repair** was performed (hydrocarbon, steam, etc);
 - v. The cost billed for the **drill and tap repair** if performed by a contractor; and
 - vi. Information provided by the equipment manufacturer stating the **drill and tap repair** had invalidated product warranties for the equipment which received the repair.
- c. If you answered “no” with regard to question 10.a, please provide the following:
 - i. Copies of all communications with **drill and tap repair** service providers about performing **drill and tap repairs** at the facility;
 - ii. The reason, if a **drill and tap repair** service provider was consulted on a repair, why the **drill and tap repair** was not performed; and
 - iii. The title and level of the facility position at which the decision was ultimately made not to perform the **drill and tap repair**.
- d. Provide any written company policies or guidance created or adopted by DCP regarding use or implementation of the **drill and tap repair method** in the last five (5) years, and the date the policy or guidance was created or adopted.
- e. State whether any DCP representative consulted on DCP’s response to this Request for Information has any knowledge of a drill and tap repair performed at a natural gas processing plant that caused and/or was a factor in a safety-related incident at the facility.
- f. If you answered question 10.e in the affirmative, provide the basis of any knowledge and a detailed explanation of the safety-related incident that resulted from the use of the **drill and tap repair method**. Please include the name of the facility where the incident occurred, and the information requested under questions 10.b.i-iv for the **drill and tap repair**.

11. State whether the Ladder Creek Plant is currently a major or area source under **Subpart HH**, and provide the date and reason for all changes in **Subpart HH** source designation which occurred from 1999 until the present. Include a list of all emission units at the Ladder Creek Plant and their potential **HAP** emissions in tons per year.

ENCLOSURE 3

REQUEST 1
DATABASE CERTIFICATION

I certify under penalty of law that the enclosed LDAR records management database(s) is a true, accurate, and complete copy of the original of the DCP Ladder Creek's LDAR database(s). I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations pursuant to section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

(Signature)

(Printed Name)

(Title)

(Date)

ENCLOSURE 4

REQUESTS 2-11

STATEMENT OF CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations pursuant to section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

(Signature)

(Printed Name)

(Title)

(Date)

ENCLOSURE 5

Confidential Business Information (CBI) Assertion and Substantiation Requirements

You may assert a business confidentiality claim covering all or part of the information you provide in response to this information request for any business information entitled to confidential treatment under section 114(c) of the Clean Air Act (the Act), 42 U.S.C. § 7414, and 40 C.F.R. Part 2, subpart B. Under section 114(c) of the Act, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means “the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information.” See 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in section 114(c) of the Act and 40 C.F.R. Part 2, subpart B. If you fail to furnish a business confidentiality claim with your response to this information request, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential” at the time you submit your response to this information request. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e); (2) you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; (3) the information is not and has not been reasonably obtainable by legitimate means without your consent; and (4) the disclosure of the information is likely to cause substantial harm to your business’s competitive position. See 40 C.F.R. § 2.208 (a)-(e). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. See 42 U.S.C. § 7414(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information and documents forwarded in response to this request for information, in accordance with 40 C.F.R. § 2.204(e)(4), the EPA is requesting that you answer the following questions with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to your claim.
2. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence

of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you've specified.

3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

Submit your answers to the above questions concurrently with your response to this information request if you have claimed any information as business confidential. See 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

Jessica Portmess
U.S. EPA Region 8
1595 Wynkoop Street (8ENF-L)
Denver, CO 80202-1129
(303) 312-7026

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be regarded by the EPA as entitled to confidential treatment if, when it is received by the EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). You may assert a business confidentiality claim covering all or part of your response to these questions, as provided in 40 C.F.R. § 2.203(b). See 40 C.F.R. § 2.204(e)(6). Information covered by such a claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. The EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.